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## Judiciary Committee

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### HB 1780

**Title:** An act relating to creation of a statewide family court.

**Brief Description:** Creating a statewide family court.

**Sponsors:** Representatives Kagi, Walsh, McIntire, Fromhold, Moeller, P. Sullivan, Hunt, Flannigan, Pettigrew, Appleton, Darneille, Kenney, Dickerson, Simpson, Wood, Haler, Santos and Ormsby.

Brief Summary of Bill
<ul style="list-style-type: none"><li>Establishes family court as a statutorily created division of superior court, effective July 1, 2009; and</li><li>Requests the supreme court to create rules to administer the family court and to establish the term of rotation, training, and continuing education requirements for family court judicial officers.</li></ul>



**Hearing Date:** 2/6/07

**Staff:** Trudes Tango (786-7384).

**Background:**

Superior courts have jurisdiction over, among other things, family law proceedings, such as dissolutions, parenting plans, child custody, establishment and modifications of child support, paternity, and adoption. While exercising its jurisdiction over family law proceedings, the superior court is referred to as the "family court," but it is not a statutorily created separate division of superior court.

In counties with more than one superior court judge, the court designates one or more of the judges to hear all family law proceedings. The terms of rotation for judges hearing family law proceedings are at the superior court's discretion.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Juvenile court is a statutorily created division of superior court. The juvenile court hears cases involving juvenile offenses and infractions, dependencies, termination of parental rights, family reconciliation (such as at-risk youth petitions), out-of-home placements, interstate compact on juveniles, and emancipation of minors.

If the superior court judges of the county authorize it, the family court may have concurrent jurisdiction with the juvenile court.

**Summary of Bill:**

A statewide family court is established as a division of superior court, effective July 1, 2009. Family court judges are superior court judges. Family court has jurisdiction over family law proceedings and proceedings previously under the juvenile court's jurisdiction. Thus, the family court will hear cases regarding:

- dissolutions and distribution of property in dissolutions;
- child custody;
- visitation;
- maintenance and support;
- adoption;
- termination of parental rights;
- domestic violence and abuse proceedings under the Domestic Violence Prevention Act;
- proceedings involving paternity and the Interstate Family Support Act;
- dependency, neglect, and abuse proceedings;
- emancipation of minors;
- truancy, at-risk youth, and child in need of services proceedings; and
- juvenile offender proceedings.

The supreme court is asked to create rules for the administration of the family court, the term of rotation for judicial officers of family court (the term shall not be less than three years), and the required training and continuing education for family court judicial officers. It is recommended that the supreme court's rule regarding training of family court officers include, but not be limited to:

- orders prohibiting or restricting contact between parties;
- dissolutions, including psychological and counseling aspects of dissolution;
- child custody;
- child support;
- modification of support;
- adoption;
- paternity;
- dependency and termination proceedings and other proceedings to free a minor from the custody and control of a parent;
- domestic violence;
- guardianships;
- child abuse and neglect;
- childhood development;
- cultural awareness;
- mental illness;
- substance abuse; and

- contempt proceedings, enforcement, mediation, and/or negotiation involving the above areas.

Counties may contract with other counties to provide joint family courts.

The Washington State Institute for Public Policy (WSIPP) must review services ordered by the family courts in dependency, termination, juvenile offender, and juvenile status offense proceedings to determine gaps in services that exist between what is ordered and what is available to the families. The WSIPP must review the ability of families to access the services due to resources, transportation, or other issues. The WSIPP must report to the Legislature by December 1, 2007.

**Appropriation:** None.

**Fiscal Note:** Requested on February 1, 2007.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed, except Sections 2 and 4 through 9 take effect July 1, 2009.